

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

STEPHANIE WILSON,

Plaintiff,

V.

SUNTRUST MORTGAGE, INC., AND
NORTHWEST TRUSTEE SERVICES,
INC.,

Defendants.

No. 2:13-cv-00728

ORDER DISMISSING CASE

This matter comes before the Court on Defendants' unopposed Motion for Summary Judgment pursuant to Fed. R. Civ. P. 56 (Dkt. # 33). Plaintiff has taken no action in this case since the Court granted her attorneys' motion for withdrawal of counsel (Dkt. # 30). The Court's previous Orders that dissolved the restraining order (Dkt. # 31) and granted permission to set the Trustee's sale (Dkt. # 32) were returned as undeliverable. Dkt. # 36. Defendants also state that their motion for summary judgment was returned as undeliverable. Dkt. # 37. Under these circumstances, the Court finds involuntary dismissal without prejudice appropriate pursuant to LCR 41(b)(2). The Rule states: "If mail directed to a pro se plaintiff by the clerk is returned by the Postal Service . . . and if such plaintiff fails to notify the court and opposing parties within 60

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1 days thereafter of his or her current mailing address, the court may dismiss the action without
2 prejudice for failure to prosecute.” *Id.*

3 Plaintiff’s returned mail was received by the Clerk on February 28, 2014. More than sixty
4 days have passed and Plaintiff has failed to notify the Court of her new address or e-mail.
5 Accordingly, the action is dismissed without prejudice for failure to prosecute, and Defendants’
6 motion for summary judgment (Dkt. # 33) is stricken as moot.

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8 DATED this 1 day of July 2014.

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12 RICARDO S. MARTINEZ
13 UNITED STATES DISTRICT JUDGE

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